

JUL 13 2009

JOHN A. CONCORAN, CLERK  
BY: *J. Concoran*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

RMA LUMBER, INC.,

*Plaintiff,*

v.

PIONEER MACHINERY, LLC, ET AL.,

*Defendants.*

CIVIL ACTION No. 6:08-cv-00023

ORDER

HON. NORMAN K. MOON

For the reasons stated in the accompanying memorandum opinion, Plaintiff's motions to amend its complaint (docket no. 51) and to stay proceedings (docket no. 53) regarding the pending motion for summary judgment filed by Defendant Peterson Pacific Corp. are GRANTED.

The Clerk of the Court is directed to file the amended complaint, and the parties are directed to confer immediately with United States Magistrate Judge Michael F. Urbanski in an attempt to establish a summary judgment briefing schedule that will permit the matter to be fully briefed and submitted for decision prior to the commencement of the jury trial in this matter, which is currently scheduled to begin on August 24, 2009. If the parties are unable to timely submit the matter prior to commencement of trial on August 24, 2009, then the parties must agree to a postponed trial date.

The Clerk is further directed to send a certified copy of this order and the accompanying memorandum opinion to all counsel of record and to United States Magistrate Judge Michael F. Urbanski.

It is so ORDERED.

Entered this 13<sup>th</sup> day of July, 2009.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE